

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
January 30, 2012**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, January 30, 2012 at 10:00 a.m. **Commissioners F. Lee Grose, Bill Schulte, and Ron Averill** were in attendance. **Chairman Grose** determined a quorum, called the meeting to order and proceeded with the flag salute. **Commissioner Schulte** moved to approve the minutes from the 10:00 a.m. meeting held on Monday, January 23, 2011. **Commissioner Averill** seconded the motion.

Motion Carried 3-0

John Ratko stated he has owned recreational property since 1967 in Lewis County. Six years ago, November of 2006, Wold Road washed-out due to heavy rain. As a result of the washout his property became landlocked. The County explored some possibilities on repairing the road and decided, due to cost, not to rebuild the road. Mr. Ratko stated he totally agreed with the decision that the Commissioners made. He has asked the County for a rough road easement to the property. The easement would be private and constructed and maintained by him. He stated he is currently in litigation with the County and has been for the past two years. This litigation is costing him money and the County money and they are unnecessary expenditures. He asked the Board for their assistance in granting of this easement.

Commissioner Grose stated this Board will not comment on litigation.

NOTICE

Commissioner Averill moved to approve Notice Agenda item one. **Commissioner Schulte** seconded the motion. Candace Hallom read the item into the record.

1. Notice of Hearing: Regarding Lewis County Code 12.10, Movement of Over Legal Limit Vehicles. Hearing will be held on or after 10:00 am, on Monday, February 13, 2012. Resolution No. 12-036

Larry Unzelman, Real-estate Services, stated Lewis County Code 12.10 regulates over legal movement of vehicles on all Lewis County roadways. Situations occur where numerous over legal vehicles travel a short distance on county roads to a specific destination on a regular basis. The current situation is that over legal loads into the new Ritchie Brothers auction facility will use approximately 340 feet of Avery Road West which connects I-5 to their access road. In this and other such situations, it would be more expedient for the County and the destination Company to enter into a haul route agreement whereby the County waives permitting for over legal movement of vehicles and the Company agrees to accept responsibility for any and all damages to the road resulting from such movements. All other requirements specified in Lewis County Code 12.10 remain in effect. An amendment to Lewis County Code 12.10 to allow haul route

agreements in certain instances in lieu of permitting would save the County administrative expense as well as being more convenient and efficient for operators of over legal vehicles. This resolution would set February 13, 2012 as the date for hearing on the matter and calls for all required publications to be made.

Commissioner Averill stated what this refers to is vehicles which are over the legal limits set by RCW for weight, height, width, length, and etc. Most of these overweight loads come down the freeway and the State approves them, in this case the Ritchie Brothers vehicles will be getting off at exit 68 and going about 340 ft. to reach the Ritchie Road. Our procedure on county roads would be to wave the vehicles individually but there are so many going to be going into Ritchie Brothers that it makes more sense to have a legal agreement with Ritchie Brothers in which they agree to repair any damages to the road between the freeway and that road. We are changing Lewis County Code and we usually do that by Ordinance so when we go out to notice we will put an Ordinance number on this.

Motion Carried 3-0

CONSENT

Commissioner Schulte moved to approve Consent Agenda items two through four. **Commissioner Averill** seconded the motion. **Candace Hallom** read the items into the record.

2. Resolution No. 12-037 Approval of warrants for payment.

Commissioner Averill stated this resolution approves 144 warrants issued by the Auditor's Office for \$496,869.13.

3. Resolution No. 12-038 Appointing a member to the Public Facilities Board.

Commissioner Averill stated this resolution approves the appointment of Todd Chaput (Chehalis) to the Public Facilities District Board. Judy DeVaul (Chehalis) recently resigned from the board and Todd has indicated interest in serving on the board and is hereby appointed to fill Judy's unexpired term, which ends August 13, 2013. Judy did a lot of work for us and was very dedicated to what she was doing. We thank her for the service that she provided.

4. Resolution No. 12-039 Approving an agreement with the Lewis County Historical Society for support of the Lewis County Historical Museum.

Michael Strozyk, Director of Central Services, stated this approves two agreements between Lewis County and the Lewis County Historical Society for use of the Burlington Northern/Santa Fe (BNSF) Train Depot as the site of the Lewis County Historical Museum and for financial support for the operation of the museum. After reading through numerous documents and meeting with Commissioner Averill and Mr. John Panesko several things were discovered with the agreements currently in place. The

lease agreement that was drafted was from 1984 allowing the Lewis County Historical Society to use the Northern Santa Fe Depot as a museum. Our lease with Burlington Northern allows us to have the museum on the site; however, it does not allow us to sublease that site. This agreement today is a five year agreement between Lewis County and the Lewis County Historical Society for the use of the Burlington Northern Santa Fe Depot at no cost to the Historical Society. In addition, we are approving a one year agreement providing about \$60,000.00 in operation support funding to the Museum.

Commissioner Averill stated most are aware of the issues that we have had at the Museum. A new Board has taken over and they are doing a terrific job. We have about \$60,000.00 that we are providing in operational funds and another \$30,000.00 that we have in the building itself.

John Panesko stated all new officers took over January 1st and what we found was a mess. Fortunately, volunteers and funds came forward and we have paid all bills up to date. The finances have been completely secured. Our plan is to emphasize the community linkage of heritage that we can be the hub for. Our future is bright, our finances are good, and our business plan is excellent. We hope that next year's financial agreement will be a lot less severe then this one because we should be self-supporting.

Motion Carried 3-0

Hearing

Hearing: Hearing: 2012 1st Budget Amendment

Chairman Grose announced the hearing and asked for a staff report.

Dawna Truman, Budget Director, stated this is the 1st 2012 budget amendment that has been published in the East County Journal on January 11th and 18th. Below is a summary of the changes affected by this budget amendment resolution.

OTHER FUNDS:

Revenue: \$468,623.00

Expenditures: \$718,623.00

Fund balance: \$(250,000.00)

- **CDBG Fund 140:** Increasing expenditures and revenue for Community Development Block Grant funding for Rural Washington Loan Funds (RWLF). Lewis County will partner with The Lending Network to fund a revolving business loan fund in order to issue RWLF loans to local businesses located in Lewis County, Cowlitz County and rural Thurston County. ***Change to noticed amount***

Revenue: \$468,623.00
Expenditures: \$468,623.00
Fund balance: \$(0)

- **Risk Management Fund 505:** Increasing expenditures and use of fund balance for costs associated with long term care for LEOFF 1 members.

Revenue: \$0
Expenditures: \$250,000.00
Fund balance: \$(250,000.00)

ALL FUNDS: FINAL AMOUNT

REVENUE: \$468,623.00
EXPENDITURES: \$718,623.00
FUND BALANCE: \$(0)

Chairman Grose asked if there were any more questions. There were none. He closed the question and answer portion of the hearing and opened the formal hearing.

Dawna Truman ask that her previous comments be adopted into the record.

Chairman Grose asked if there were any other statements for public testimony. There were none. He closed the hearing and asked for a motion.

Commissioner Averill made a motion to approve Resolution No. 12-040.

Commissioner Schulte seconded the motion. **Candace Hallom** read the items into the record.

Resolution No. 12-040 Lewis County 2012 Budget, Emergency and Supplemental Appropriations to and Transfers within Current Expense and Various funds.

Motion Carried 3-0

Hearing: Davis Creek Replacement Project

Chairman Grose announced the hearing and asked for a staff report.

Commissioner Averill stated this is an unusual hearing in so far as there is no Ordinance or Resolution that will be approved afterward. It is essentially an opportunity for us, along with FEMA, to get comments from the public on the choices of what we will present on this particular project.

Rod Lakey, Public Works, stated this is an opportunity for people to be heard if they have comments regarding the project. Rod went over the timeline for Davis Creek. In March 2007 we had an initial project worksheet showing the replacement at current codes and standards and it was determined later that the project was downsized to

\$340,000.00. The initial estimate was higher at \$834,000.00 which was based on a longer bridge to span the flood plain. Lewis County made two formal appeals to use codes and standards and were eventually approved. In 2010 and 2011 there was effort put forward for two other bridges in the County and the Davis Creek Bridge was put on the back burner. We are soliciting support from the public either for or against replacing the Davis Creek Bridge. Discussion, staff reports, and presentations from FEMA are intended to identify the concerns and will be used to determine the project authorization or selection of an alternate project for Davis Creek Road. If we replace the bridge we have 90% funding, option 2 is to not replace the bridge and do hammerhead turnarounds at the old bridge location. There is a skewed access to Davis Creek Road for residents on the east side of Davis Creek to get onto Highway 12. We have not contacted any property owners for this. That intersection takes a small triangle parcel in its entirety. He did speak to one of the residents out there and found out that we may have a flooding issue on the west side where residents could not get out.

Commissioner Averill stated he is interested in the people who may have flood problems.

Commissioner Grose stated during the 2006 flood access on the west end of Davis Creek Road with the blockage of Burton Creek you couldn't get any place anyhow. He asked if we are also looking at the west end on correcting that intersection.

Rod Lakey stated the west end might have minor improvements but the east end is a lot worse and is almost impossible to turn towards the west.

Chairman Grose asked if there were any more questions. There were none. He closed the question and answer portion of the hearing and opened the formal hearing.

Rod Lakey asked that his previous comments be adopted into the record.

Dennis Burton, FEMA, stated he is here today to help explore some alternative that may be appropriate for this project. Lewis County is the applicant and FEMA reimburses. FEMA is committed to working with the State and applicant with what it takes to comply with the codes and standards for spanning the flood plain. Federal Law requires looking at alternatives to putting in a facility such as the Davis Creek Bridge back in the flood plain. Highway 12 has been identified as an option that may serve the function of the bridge and may meet the requirements of the residents that are there.

Chairman Grose stated his biggest concern in not replacing the bridge is during the 2006 event there was considerable flow through and danger of losing the bridge on Hwy 12 as well. If an event in the future should come through and this bridge is constructed to current code and standard then the likelihood of it going out is far less than the one on the highway. We are concerned that the east end of the County would be cut off completely without this bridge going in.

Chairman Grose stated that if we are not going to rebuild the bridge for \$1.6 million then are we going to have enough financial help from FEMA to do the work that is needed to build the hammerhead and change the road line.

Dennis Burton stated that if you decide to request an alternate project then you would have to use the yet to be determined approved amount using codes and standard toward that project.

Ed Spath, 262 Davis Creek Road, stated if you do not build in a bridge then why don't you put another road between Davis Creek Road and Highway 12. The property is owned by the State and there are approaches at both ends.


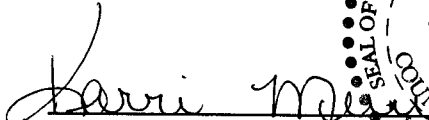
Chairman Grose asked if there were any other statements for public testimony. There were none. He closed the hearing.



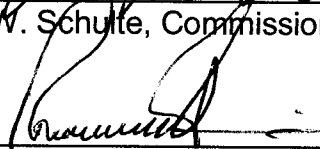
There being no further business, the Commissioners' public meeting adjourned at 11:01 am on January 30, 2012. The next public meeting will be held Monday, February 6, 2012, at 10:00 a.m.

Please note that minutes from the Board of County Commissioners' meetings are not verbatim. A recording of the meeting may be purchased at the Commissioners' office.

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

ATTEST:



Karri Muir, Clerk of the Board
Lewis County Commissioners


F. Lee Grose, Chairman

P.W. Schulte, Commissioner

Ron Averill, Commissioner